

Docket No.: 215105.00800  
Customer No. 27160



#4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Graham DAVIS *et al.*

Application No. 10/087,730

Filed: March 5, 2002

Group Art Unit: 1743

Examiner: Unknown

RECEIVED

OCT 04 2002

TC 1700

For: APPARATUS AND METHOD FOR ANALYTE MEASUREMENT AND  
IMMUNOASSAY

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §1.56 and §1.97(b)

RECEIVED

OCT 18 2002

TECH CENTER 1600/2900

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Copies of the listed documents, including any copending patent applications, are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants


Docket No.: 215105.00800  
Customer No. 27160

PATENT  
Application No.: 10/087,730

reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1710.

Respectfully submitted,

  
Gilberto M. Villacorta, PH.D.  
Registration No. 34,038  
Serge Sira  
Registration No. 39,445

Patent Administrator  
KATTEN MUCHIN ZAVIS ROSENMAN  
525 West Monroe Street, Suite 1600  
Chicago, Illinois 60661-3963  
Fax: (312) 906-1021  
(202) 625-3500

Date: October 3, 2002



# LIST OF ART CITED BY APPLICANT

(PTO-1449)

 ATTY. DOCKET NO.  
215105.00800

 SERIAL NO.  
10/087,730

 APPLICANT  
Graham DAVIS et al.

 FILING DATE  
March 5, 2002

 GROUP  
1743

## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS		PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	5,096,669	17 Mar 1992	Lauks et al.			
	B	5,628,961	13 May 1997	Davis et al.			
	C	5,447,440	5 Sep 1995	Davis et al.			
	D	5,821,399	13 Oct 1998	Zelin			
	E	5,183,740	2 Feb 1993	Ligler			
	F	4,018,886	19 Apr 1977	Giaever			
	G	5,073,484	17 Dec 1991	Swanson et al.			
	H	5,807,752	15 Sep 1998	Brizgys et al.			
	I	5,201,851	13 Apr 1993	Holmstrom			
	J	5,242,828	7 Sep 1993	Bergstrom et al.			
	K	5,313,264	17 May 1994	Ivarsson et al.			
	L	4,997,526	5 Mar 1991	Robblee			
	M	4,830,959	16 May 1989	McNeil et al.			
	N	4,334,880	15 Jun 1982	Malmros			
	O	4,916,075	10 Apr 1990	Malmros			
	P	4,238,757	9 Dec 1980	Schenck			
	Q	4,233,144	11 Nov 1980	Pace et al.			
	R	5,200,051	6 Apr 1993	Cozette et al.			

RECEIVED

OCT 04 2002

TC 1700

RECEIVED

OCT 18 2002

TECH CENTER 1600/2900

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS		PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation
							Yes No

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

S	Eddowes, Biosensors, vol. 3, 1987: 1-15.
T	Laurell et al., Methods in Enzymology, vol. 73, <u>Electroimmunoassay</u> ; Academic Press, New York, 1981: 339-340; 346-48.
U	Green, M.J., Philos. Trans. R. Soc. Lond. B. Biol. Sci., vol 316, 1987: 135-42.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.  
DC: #4130461v1-215105.00800